

# Daily Digest

## Senate

### Chamber Action

*Routine Proceedings, pages S10333–S10383*

**Measures Introduced:** Five bills and three resolutions were introduced, as follows: S. 1773–1777, and S. Res. 311–313. **Pages S10361–62**

**Measures Reported:**

S. 1692, to extend the sunset of certain provisions of the USA PATRIOT Act and the authority to issue national security letters, with an amendment in the nature of a substitute. **Page S10361**

**Measures Passed:**

**United States Secret Service Uniformed Division Modernization Act:** Senate passed S. 1510, to transfer statutory entitlements to pay and hours of work authorized by the District of Columbia Code for current members of the United States Secret Service Uniformed Division from the District of Columbia Code to the United States Code. **Pages S10378–80**

**Congressional Gold Medal:** Committee on Banking, Housing, and Urban Affairs was discharged from further consideration of S. 846, to award a congressional gold medal to Dr. Muhammad Yunus, in recognition of his contributions to the fight against global poverty, and the bill was then passed. **Pages S10380–81**

**National Metastatic Breast Cancer Awareness Day:** Committee on the Judiciary was discharged from further consideration of S. Res. 295, designating October 13, 2009, as “National Metastatic Breast Cancer Awareness Day”, and the resolution was then agreed to. **Pages S10381–82**

**Red Ribbon Week:** Senate agreed to S. Res. 313, supporting the goals and ideals of Red Ribbon Week, 2009. **Page S10382**

**Measures Considered:**

**Commerce, Justice, Science, and Related Agencies Appropriations Act—Agreement:** Senate resumed consideration of H.R. 2847, making appropriations for the Departments of Commerce and Justice, and Science, and Related Agencies for the fiscal

year ending September 30, 2010, taking action on the following amendments proposed thereto:

**Pages S10339–52**

**Pending:**

Vitter/Bennett Amendment No. 2644, to provide that none of the funds made available in this Act may be used for collection of census data that does not include a question regarding status of United States citizenship. **Page S10339**

Johanns Amendment No. 2393, prohibiting the use of funds to fund the Association of Community Organizations for Reform Now (ACORN). **Page S10339**

Levin/Coburn Amendment No. 2627, to ensure adequate resources for resolving thousands of offshore tax cases involving hidden accounts at offshore financial institutions. **Page S10339**

Durbin Modified Amendment No. 2647, to require the Comptroller General to review and audit Federal funds received by ACORN. **Page S10339**

Begich/Murkowski Amendment No. 2646, to allow tribes located inside certain boroughs in Alaska to receive Federal funds for their activities. **Page S10339**

Ensign Modified Amendment No. 2648, to provide additional funds for the State Criminal Alien Assistance Program by reducing corporate welfare programs. **Page S10339**

Shelby/Feinstein Amendment No. 2625, to provide danger pay to Federal agents stationed in dangerous foreign field offices. **Page S10339**

Leahy Amendment No. 2642, to include nonprofit and volunteer ground and air ambulance crew members and first responders for certain benefits. **Page S10339**

Graham Amendment No. 2669, to prohibit the use of funds for the prosecution in Article III courts of the United States of individuals involved in the September 11, 2001, terrorist attacks. **Page S10339**

Coburn Amendment No. 2631, to redirect funding of the National Science Foundation toward practical scientific research. **Pages S10343, S10345**

Coburn Amendment No. 2632, to require public disclosure of certain reports. **Page S10343**

Coburn Amendment No. 2667, to reduce waste and abuse at the Department of Commerce.

**Pages S10343–45**

During consideration of this measure today, Senate also took the following action:

By 56 yeas to 38 nays (Vote No. 320), three-fifths of those Senators duly chosen and sworn, not having voted in the affirmative, Senate rejected the motion to close further debate on the committee-reported amendment in the nature of a substitute. **Page S10351**

A motion was entered to reconsider the vote by which the motion to invoke cloture on the committee-reported amendment in the nature of a substitute failed.

**Page S10351**

## House Messages:

**Veterans Health Care Budget Reform and Transparency Act:** Senate concurred in the amendment of the House of Representatives to the amendment of the Senate to H.R. 1016, to amend title 38, United States Code, to provide advance appropriations authority for certain accounts of the Department of Veterans Affairs, clearing the measure for the President.

**Pages S10376–78**

**Energy and Water Appropriations Act Conference Report—Agreement:** A unanimous-consent-time agreement was reached providing that at approximately 11 a.m., on Wednesday, October 14, 2009, Senate resume consideration of the conference report to accompany H.R. 3183, Energy and Water Appropriations Act; that there then be 10 minutes for debate equally divided and controlled between Senators Dorgan and Bennett, or their designees; with Senator Dorgan controlling the final five minutes; that upon the use or yielding back of time, Senate vote on the motion to invoke cloture on the conference report to accompany H.R. 3183.

**Page S10383**

**Nomination Confirmed:** Senate confirmed the following nomination:

Daniel I. Werfel, of Virginia, to be Controller, Office of Federal Financial Management, Office of Management and Budget.

**Page S10383**

**Nominations Received:** Senate received the following nominations:

George Apostolakis, of Massachusetts, to be a Member of the Nuclear Regulatory Commission for the term of five years expiring June 30, 2014.

William D. Magwood, IV, of Maryland, to be a Member of the Nuclear Regulatory Commission for the remainder of the term expiring June 30, 2010.

William D. Magwood, IV, of Maryland, to be a Member of the Nuclear Regulatory Commission for the term of five years expiring June 30, 2015.

Elizabeth M. Harman, of Maryland, to be an Assistant Administrator of the Federal Emergency Management Agency, Department of Homeland Security.

Eleni Tsakopoulos Kounalakis, of California, to be Ambassador to the Republic of Hungary.

Peter Alan Prahar, of Virginia, to be Ambassador to the Federated States of Micronesia.

Sharon Jeanette Lubinski, of Minnesota, to be United States Marshal for the District of Minnesota for the term of four years.

Rosanna Malouf Peterson, of Washington, to be United States District Judge for the Eastern District of Washington.

Christina Reiss, of Vermont, to be United States District Judge for the District of Vermont.

**Page S10383**

**Nomination Withdrawn:** Senate received notification of withdrawal of the following nomination:

Lorelei Boylan, of New York, to be Administrator of the Wage and Hour Division, Department of Labor, which was sent to the Senate on May 11, 2009.

**Page S10383**

**Measures Referred:**

**Page S10360**

**Measures Placed on the Calendar:**

**Pages S10333, S10360**

**Measures Read the First Time:**

**Pages S10360, S10382**

**Executive Communications:**

**Pages S10360–61**

**Additional Cosponsors:**

**Pages S10362–63**

**Statements on Introduced Bills/Resolutions:**

**Pages S10363–73**

**Additional Statements:**

**Pages S10359–60**

**Amendments Submitted:**

**Pages S10373–75**

**Notices of Hearings/Meetings:**

**Pages S10375–76**

**Authorities for Committees to Meet:**

**Page S10376**

**Record Votes:** One record vote was taken today. (Total—320)

**Page S10351**

**Adjournment:** Senate convened at 2 p.m. and adjourned at 7:15 p.m., until 10 a.m. on Wednesday, October 14, 2009. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S10383.)

## Committee Meetings

*(Committees not listed did not meet)*

### BUSINESS MEETING

**Committee on Finance:** Committee ordered favorably reported an original bill entitled, "America's Healthy Future Act of 2009".

## NOMINATION

*Select Committee on Intelligence:* Committee concluded a hearing to examine the nomination of David C.

Gompert, of Virginia, to be Principal Deputy Director of National Intelligence, Office of the Director of National Intelligence, after the nominee testified and answered questions in his own behalf.

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## House of Representatives

### Chamber Action

**Public Bills and Resolutions Introduced:** 18 public bills, H.R. 3788–3805; and 7 resolutions, H. Con. Res. 198–199; and H. Res. 822–826 were introduced. **Pages H11297–98**

**Additional Cosponsors:** **Pages H11298–99**

**Report Filed:** A report was filed today as follows:

Conference report on H.R. 2892, making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2010 (H. Rept. 111–298). **Page H11297**

**Speaker:** Read a letter from the Speaker wherein she appointed Representative Moran (VA) to act as Speaker Pro Tempore for today. **Page H11175**

**Recess:** The House recessed at 12:32 p.m. and reconvened at 2 p.m. **Page H11175**

**Election Assistance Commission Board of Advisors—Appointment:** The Chair announced the Speaker's appointment of the following member on the part of the House to the Election Assistance Commission Board of Advisors: Ms. Lillie Coney, Washington, DC. **Page H11176**

**Suspensions:** The House agreed to suspend the rules and pass the following measures:

*Providing for an extension of the legislative authority of the Vietnam Veterans Memorial Fund, Inc.:* H.R. 3689, to provide for an extension of the legislative authority of the Vietnam Veterans Memorial Fund, Inc. to establish a Vietnam Veterans Memorial visitor center, by a  $\frac{2}{3}$  yeas-and-nay vote of 390 yeas with none voting “nay”, Roll No. 772; **Pages H11176–77, H11260**

*Amending the Wild and Scenic Rivers Act:* H.R. 1593, amended, to amend the Wild and Scenic Rivers Act to designate a segment of Illabot Creek in Skagit County, Washington, as a component of the National Wild and Scenic Rivers System; **Page H11177**

*Junior Duck Stamp Conservation and Design Program Reauthorization Act of 2009:* H.R. 3537,

to amend and reauthorize the Junior Duck Stamp Conservation and Design Program Act of 1994; **Pages H11177–78**

*Amending the North American Wetlands Conservation Act:* H.R. 3433, to amend the North American Wetlands Conservation Act to establish requirements regarding payment of the non-Federal share of the costs of wetlands conservation projects in Canada that are funded under that Act; **Pages H11178–79**

*Reauthorizing the Delaware Water Gap National Recreation Area Citizen Advisory Commission:* H.R. 3476, to reauthorize the Delaware Water Gap National Recreation Area Citizen Advisory Commission, by a  $\frac{2}{3}$  yeas-and-nay vote of 384 yeas to 1 nay, Roll No. 773; **Pages H11179–80, H11260–61**

*1st Lieutenant Louis Allen Post Office Designation Act:* H.R. 2877, to designate the facility of the United States Postal Service located at 76 Brookside Avenue in Chester, New York, as the “1st Lieutenant Louis Allen Post Office”; **Pages H11180–81**

*Commemorating the 80th anniversary of the Daughters of Penelope:* H. Res. 209, amended, to commemorate the 80th anniversary of the Daughters of Penelope, a preeminent international women's association and affiliate organization of the American Hellenic Educational Progressive Association (AHEPA); **Pages H11181–83**

*Congratulating the Aldine Independent School District in Harris County, Texas, on winning the 2009 “Broad Prize for Urban Education”:* H. Res. 791, amended, to congratulate the Aldine Independent School District in Harris County, Texas, on winning the 2009 “Broad Prize for Urban Education”; **Pages H11183–85**

*Congratulating Kappa Alpha Psi Fraternity, Inc., on 98 years of serving local communities:* H. Res. 659, amended, to congratulate Kappa Alpha Psi Fraternity, Inc., on 98 years of serving local communities and enriching the lives of collegiate men throughout the Nation, by a  $\frac{2}{3}$  yeas-and-nay vote of 392 yeas with none voting “nay”, Roll No. 774; **Pages H11185–87, H111261**

*Honoring the 100th anniversary of the University of Wisconsin-La Crosse:* H. Res. 730, amended, to honor the 100th anniversary of the University of Wisconsin-La Crosse; **Pages H11187–89**

*Expressing support for students to learn about Christopher Columbus:* H. Res. 822, to express support for students to learn about Christopher Columbus; **Page H11191**

*Credit CARD Technical Corrections Act of 2009:* H.R. 3606, to amend the Truth in Lending Act to make a technical correction to an amendment made by the Credit CARD Act of 2009; and

**Pages H11257–59**

*Girl Scouts USA Centennial Commemorative Coin Act:* H.R. 621, amended, to require the Secretary of the Treasury to mint coins in commemoration of the centennial of the establishment of the Girl Scouts of the United States of America.

**Pages H11262–67**

**Recess:** The House recessed at 4:01 p.m. and reconvened at 6:30 p.m. **Page H11259**

**Suspensions—Proceedings Postponed:** The House debated the following measures under suspension of the rules. Further proceedings were postponed:

*Expressing support for the designation of the month of October as “National Work and Family Month”:* H. Res. 768, amended, to express support for the designation of the month of October as “National Work and Family Month” and **Pages H11189–90**

*Iran Sanctions Enabling Act of 2009:* H.R. 1327, amended, to authorize State and local governments to direct divestiture from, and prevent investment in, companies with investments of \$20,000,000 or more in Iran’s energy sector.

**Pages H11191–95**

**Quorum Calls—Votes:** Three yea-and-nay votes developed during the proceedings of today and appear on pages H11260, H11260–61 H11261. There were no quorum calls.

**Adjournment:** The House met at 12:30 p.m. and adjourned at 12 midnight.

## House Committees

No committee meetings were held.

## Joint Meetings

No joint committee meetings were held.

## NEW PUBLIC LAWS

(For last listing of Public Laws, see DAILY DIGEST, p. D1123)

H.R. 2131, to amend the Foreign Affairs Reform and Restructuring Act of 1998 to reauthorize the United States Advisory Commission on Public Diplomacy. Signed on October 9, 2009. (Public Law 111–70)

H.R. 3593, to amend the United States International Broadcasting Act of 1994 to extend by one year the operation of Radio Free Asia, and for other purposes. Signed on October 9, 2009. (Public Law 111–71)

## COMMITTEE MEETINGS FOR WEDNESDAY, OCTOBER 14, 2009

(Committee meetings are open unless otherwise indicated)

### Senate

*Committee on Banking, Housing, and Urban Affairs:* Subcommittee on Financial Institutions, to hold hearings to examine the state of the banking industry, 2:30 p.m., SD–538.

*Committee on Energy and Natural Resources:* to hold hearings to examine energy and related economic effects of global climate change legislation, 10 a.m., SD–366.

Full Committee, business meeting to consider any pending nominations, 11:30 a.m., SD–366.

*Committee on Homeland Security and Governmental Affairs:* Subcommittee on Oversight of Government Management, the Federal Workforce, and the District of Columbia, with the Special Committee on Aging, to hold joint hearings to examine the cost of federal long-term care insurance, 2:30 p.m., SD–342.

*Committee on the Judiciary:* to hold hearings to examine prohibiting price fixing and other anticompetitive conduct in the health insurance industry, 10 a.m., SD–226.

*Special Committee on Aging:* with the Committee on Homeland Security and Governmental Affairs, Subcommittee on Oversight of Government Management, the Federal Workforce, and the District of Columbia, to hold joint hearings to examine the cost of federal long-term care insurance, 2:30 p.m., SD–342.

### House

*Committee on Armed Services,* hearing on Afghanistan: Getting the Strategy Right, 10 a.m., 210 HVC.

*Committee on the Budget,* hearing on the Cost of Current Defense Plans: An Analysis of Budget Issues, 10 a.m., 210 Cannon.

*Committee on Education and Labor,* Subcommittee on Higher Education, Lifelong Learning, and Competitiveness, hearing on Ensuring Student Eligibility Requirements for Federal Aid, 10 a.m., 2175 Rayburn.

*Committee on Energy and Commerce,* Subcommittee on Energy and Environment, to mark up the following bills; H.R. 3276, American Medical Isotopes Production Act of 2009; H.R. 3258, Drinking Water System Security Act

of 2009; and H.R. 2868, Chemical Facility Anti-Terrorism Act of 2009, 10 a.m., 2123 Rayburn.

Subcommittee on Health, to mark up the Ryan White HIV/AIDS Treatment Extension act of 2009, 3 p.m., 2113 Rayburn.

*Committee on Financial Assistance*, to consider the following measures: October 2, Discussion Draft of the Over-the-Counter Derivatives Markets Act of 2009; September 25, Discussion Draft of the Consumer Financial Protection Agency Act of 2009 (to be reported as H.R. 3126, Consumer Financial Protection Agency Act of 2009); H.R. 3763, To amend the Fair Credit Reporting Act to provide for an exclusion from Red Flag Guidelines for certain businesses; and H.R. 3639 Expedited CARD Reform for Consumers Act of 2009, 10 a.m., 2128 Rayburn.

*Committee on Foreign Affairs*, Subcommittee on Asia, The Pacific and The Global Environment, to mark up H. Con. Res. 153, Honoring the 111th anniversary of the independence of the Philippines; followed by a hearing on the Future of APEC, (Asian-Pacific Economic Cooperation), 2 p.m., 2172 Rayburn.

*Committee on Homeland Security*, hearing entitled "Diversity at the Department of Homeland Security: Continuing Challenges and New Opportunities," 10 a.m., 311 Cannon.

*Committee on House Administration*, Subcommittee on Capitol Security, hearing on Security Personally Identifiable Information Within the U.S. Capitol Police, 11 a.m., 1310 Longworth.

*Committee on the Judiciary*, to mark up the following bills: H.R. 42, Commission on Wartime Relocation and Internment of Latin Americans of Japanese Descent Act; H.R. 1425, Wartime Treatment Study Act; and H.R. 3237, To enact certain laws relating to national and commercial space programs title 51, United States Code,

"National and Commercial Space Programs," 10:15 a.m., 2141 Rayburn.

*Committee on Oversight and Government Reform*, a hearing entitled "AIG Bonuses: Audit Report of the Special Inspector General," 10 a.m., 2154 Rayburn.

*Committee on Rules*, to consider the following: H.R. 2442, Bay Area Regional Water Recycling Program Expansion Act of 2009; and the Conference Report to accompany H.R. 2892, Department of Homeland Security Appropriations Act, 2010, 3 p.m., H-313 Capitol.

*Committee on Science and Technology*, Subcommittee on Technology and Innovation, to mark up H.R. 3791, Fire Grants Reauthorization Act of 2009, 2 p.m., 2318 Rayburn.

*Committee on Small Business*, hearing entitled "Increasing Access to Capital for Small Businesses," 11:30 a.m., 2360 Rayburn.

*Committee on Transportation and Infrastructure*, Subcommittee on Railroads, Pipelines, and Hazardous Materials, hearing on High-Speed Rail in the United States: Opportunities and Challenges, 2 p.m., 2167 Rayburn.

*Committee on Veterans' Affairs*, hearing on the Update on the State of the U.S. Department of Veterans Affairs, 10 a.m., 334 Cannon.

*Permanent Select Committee on Intelligence*, Subcommittee on Terrorism, Human Intelligence and Counterintelligence, executive, briefing on Hot Spots, 4 p.m., 304-HVC.

### Joint Meetings

*Commission on Security and Cooperation in Europe*: to hold hearings to examine promoting tolerance and understanding in the Organization for Security and Cooperation in Europe (OSCE) region, focusing on the role of the personal representatives, 10 a.m., SVC-208/209.

*Next Meeting of the SENATE*

10 a.m., Wednesday, October 14

## Senate Chamber

**Program for Wednesday:** After the transaction of any morning business (not to extend beyond one hour), Senate will resume consideration of the conference report to accompany H.R. 3183, Energy and Water Appropriations Act, and after a period of debate, vote on the motion to invoke cloture on the conference report at approximately 11:15 a.m.

(Senate will recess from 12:30 p.m. until 2:15 p.m. for their respective party conferences.)

*Next Meeting of the HOUSE OF REPRESENTATIVES*

10 a.m., Wednesday, October 14

## House Chamber

**Program for Wednesday:** Consideration of the following suspensions: (1) H. Res. 408—Recognizing the vital role family readiness volunteers play in supporting service members and their families; (2) H. Res. 754—Honoring the citizen-soldiers of the National Guard of the State of Pennsylvania, including the 56th Brigade Combat Team (Stryker) of the Pennsylvania Army National Guard on its return to the United States from deployment in Iraq; (3) H. Res. 445—Recognizing 100 years

of military aviation and expressing continued support for military aviators of the United States Armed Forces; (4) H. Res. 627—Honoring the citizen-soldiers of the National Guard of the State of Washington, including the 81st Brigade Combat Team (Heavy) of the Washington Army National Guard; (5) H. Res. 810—Expressing condolences to the citizens of Indonesia and support for the Government of Indonesia in the aftermath of the devastating earthquake that struck the island of Sumatra; (6) H. Res. 816—Mourning the loss of life caused by the earthquakes and tsunamis that occurred on September 29, 2009, in American Samoa and Samoa; (7) H. Res. 786—Commemorating the canonization of Father Damien de Veuster, SS.CC. to sainthood; (8) H. Res. 266—Celebrating 90 years of United States-Polish diplomatic relations; (9) H. Res. 603—Recognizing the 140th anniversary of the birth of Mahatma Gandhi; (10) H. Res. 800—Expressing sympathy for the citizens of the Philippines dealing with Tropical Storm Ketsana and Typhoon Parma; (11) H.R. 3371—Airline Safety and Pilot Training Improvement Act; (12) H.R. 2423—The “George P. Kazen Federal Building and United States Courthouse”, and the “Marcel C. Notzon II Jury Room” Designation Act; (13) H. Res. 465—Recognizing the Atlantic Intracoastal Waterway Association; (14) H.R. 2651—Maritime Workforce Development Act; (15) H. Con. Res. 138—Recognizing the 40th anniversary of the George Bush Intercontinental Airport; (16) H.R. 1700—National Women’s History Museum Act; and (17) H. Res. 719—Commending Russ Meyer on his induction into the National Aviation Hall of Fame.

## Extensions of Remarks, as inserted in this issue

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